

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-18316 - APPLICANT: INSITE TOWERS, LLC -
OWNER: LAACO LTD**

**** CONDITIONS ****

The Planning Commission (6-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a Wireless Communication Facility, Stealth Design use.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the structure. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. The communications monopole and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment and facility.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

5. The proposed wireless communications tower shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The tower base shall not be located within existing or proposed public sewer or drainage easements.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for an 80-foot high cellular communications facility, stealth design within an approved storage facility.

Because the tower will be partially screened by the mini-storage buildings which are proposed for this site, and because the applicant is proposing to place the tower at the maximum distance allowed by the configuration of this site, staff's recommendation is for approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/16/05	The City Council approved the Annexation (ANX-5674) of approximately 1.99 acres into the city of Las Vegas. The effective date was 03/25/05. The Planning Commission and staff recommended approval.
04/20/05	The City Council approved companion applications for a Rezoning (ZON-6100) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) [SC-TC (Service Commercial – Town Center) Special Land Use Designation], a Vacation (VAC-6101) of U.S. Government Patent Easements, a Special Use Permit (SUP-6099) for a proposed Mini-Storage Facility, and a Site Development Plan Review (SDR-6097) for a proposed mini-storage facility and waivers of setbacks, perimeter landscaping and lot coverage requirements on the subject site. The Planning Commission and staff recommended approval.
01/11/07	The Planning Commission voted 6-1/rt to recommend APPROVAL (PC Agenda Item #5/ar).
<i>Related Building Permits/Business Licenses</i>	
03/21/06	Civil improvement plans were submitted in conjunction with the mini-storage proposed for this site.
<i>Pre-Application Meeting</i>	
11/07/06	The requirements for a Special Use Permit were explained.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Civil improvement plans in process for proposed mini-storage	SC-TC (Service Commercial – Town Center)	TC (Towncenter)
North	Civil improvement plans in process for proposed shopping center	SC-TC (Service Commercial – Town Center)	TC (Towncenter)
South	Undeveloped	PF (Public Facility)	Clark County
East	Civil improvement plans in process for proposed shopping center	SC-TC (Service Commercial – Town Center)	TC (Towncenter)
West	Residential subdivision under construction	ML (Medium Low) Density Residential	Clark County R-2: typical lot size +/- 3,600 sf

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
T-C Town Center District	X		N
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
T-C Town Center District	X		N
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

This application is not in compliance with the Town Center Standards because it proposes to place a cellular communication facility 320 feet from a single family detached dwelling where a distance separation of 330 feet is required.

DEVELOPMENT STANDARDS

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	240 Feet	320 Feet	Y
Adjacent development matching setback	10 Feet	320 Feet	Y

<i>Towncenter Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Separation from detached single family dwelling	330 Feet from residential	320 Feet from residential	N

This application is not in compliance with the Town Center Standards because it proposes to place a cellular communication facility 320 feet from a single family detached dwelling where a distance separation of 330 feet is required.

ANALYSIS

The subject site has been previously approved for a mini-storage facility. The applicant proposes to place an 80 foot cellular tower, disguised as a pine tree, in the northeast corner of the property. The tower is proposed to be located 320 feet from a single family detached dwelling which is located on the west side of Kevin Way. Because the tower will be partially screened by the nine-foot tall mini-storage buildings which will be built along the north and south property lines, and the 21-foot tall building in the central portion of the site, and because the applicant is proposing to place the tower at the maximum distance allowed by the configuration of this site, staff's recommendation is for approval.

FINDINGS

The following findings must be made for a Special Use Permit:

1. "The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."
2. "The subject site is physically suitable for the type and intensity of land use proposed."
3. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."
4. "Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."

In regard to "1":

Because the proposed 80 foot tower would be partially screened from the nearby residential development and is a stealth design, staff finds this use is compatible with surrounding properties.

In regard to “2”:

The site is proposed to be developed with a mini-storage facility and is suitable for the placement of a cellular communication facility.

In regard to “3”:

This requirement is not applicable because the wireless communication tower will not attract additional traffic to the site.

In regard to “4”:

The proposed use will not compromise the public health, safety, and welfare because the use will be constructed in compliance with applicable building codes.

PLANNING COMMISSION ACTION

The applicant’s representative indicated the wireless company was Verizon.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 140 by City Clerk

APPROVALS 0

PROTESTS 0